

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005

2ND TRANSMISSION - 5 pages

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on September 26, 2005
Date

Pamela L. Rader
Signature

Pamela L. Rader

Typed or printed name of person signing Certificate

In Re U.S. Patent Application Serial No. 10/798,818

Title: Interconnection Architecture for Managing Multiple Low Bandwidth Connections over a High Bandwidth Link

Filing Date: 10 March 2004

Attorney Docket No. 233-524-DV1/MCD111DIV

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

PTO Fax Number: 571-273-8300

FROM: Peter B. Scull/Reg. No. 37,932

Transmitted herewith are:

Fax Transmittal Cover Sheet (1 page);

Issue Fee Transmittal (2 pages: 1 original + 1 duplicate for fee processing); and

Comments on Statements of Reasons for Allowance (2 pages).

Total Pages in Transmission: 5

Please notify us immediately (720-377-0717) if there is a problem with receipt of this fax.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number..... 10/798,818
Filing Date..... March 10, 2004
Inventorship..... Nelson et al.
Applicant..... McDATA Corporation
Attorney's Docket No. MCD111DIV/233-524-DV1
Title: Interconnection Architecture for Managing Multiple Low Bandwidth Connections
over a High Bandwidth Link

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Peter B. Scull (Tel: 720-377-0773; Fax: 720-377-0777)
Customer No. 48929

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

The Applicant acknowledges with appreciation the allowance of claims 2-4 and 6-11 (renumbered as 2, 1 and 3-9, respectively) in the subject application by the Examiner. The Applicant agrees with the Examiner's Statement of Reasons for Allowance to the extent that claims 2-4 and 6-11 (renumbered as 2, 1 and 3-9, respectively) are patentable over the references in the record.

However, the Applicant expressly traverses the Examiner's Statement of Reasons for Allowance to the extent that any statement is intended to or has the intended effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended to or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated. The Applicant specifically does not acquiesce or agree in any manner as to any assertion in Examiner's statements that may be interpreted to narrow the claims to less than their recited scope.

Applicant further traverses the reasons for allowance inasmuch as these tend toward interpretation of any cited art, particularly Dieudonne, et al., US Patent No.5,521,915 (hereafter "Dieudonne"). In this regard, Applicant does not acquiesce in nor necessarily agree with the interpretation of Dieudonne as set forth in the Reasons for

233-524-DV1

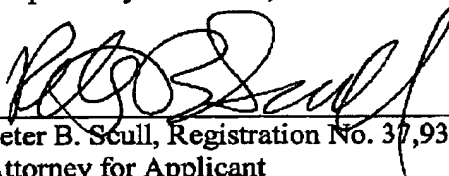
1-2

Allowance, and rather reserves the right to address such an interpretation at any future time as may be appropriate.

If there are any questions, please contact the undersigned attorney.

Dated: September 26, 2005

Respectfully submitted,



Peter B. Scull, Registration No. 37,932
Attorney for Applicant
USPTO Customer No. 48929

HENSLEY KIM & EDGINGTON, LLC
1660 Lincoln Street, Suite 3050
Denver, Colorado 80264
Tel: 720-377-0770
Fax: 720-377-0777